

16458

In re Application of: Falk FISH
 Serial No.: 09/763,415
 Filed: May 16, 2001
 For: METHOD AND KIT FOR THE...



Art Unit: 1645
 Confirmation No.: 9137
 Examiner: J.A. HINES
 Washington, D.C.
 Atty.'s Docket: FISH 4
 Date: January 8, 2003

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THE COMMISSIONER OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231

Sir:

Transmitted herewith is an [XX] Amendment []

in the above-identified application.

- [] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- [] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- [] No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)		(Col. 3)		Small Entity		Other Than a Small Entity
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra		Rate	Additional Fee		Rate
Total	12	Minus	20	0		x 9	\$		x18 \$
Indep.									
2 Minus 3									
First Presentation of Multiple Dependent Claim									
T O T A L A D D I T I O N A L C L A I M S F E E									
\$ Total \$									

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col.1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required applicant requests that this be considered a petition therefor.

[XX] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- [] First - \$ 55.00
 [] Second - \$205.00
 [] Third - \$465.00
 [] Fourth - \$725.00

Other Than Small Entity

Response Filed Within

- [XX] First - \$ 110.00
 [] Second - \$ 410.00
 [] Third - \$ 930.00
 [] Fourth - \$1450.00

[] Less fees (\$) already paid for months extension of time on .

[] Please charge my Deposit Account No. 02-4035 in the amount of \$. A duplicate copy of this sheet is attached.

[] A check in the amount of \$ is attached (check no.).

[XX] Credit Card Payment Form, PTO-2038, authorizing payment in the amount of \$ 110.00 is attached.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR Section 1.16 and all patent processing fees under 37 CFR Section 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR Section 1.18.

BROWDY AND NEIMARK
 Attorneys for Applicant(s)

By:



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: FISH 4

In re Application of:

Falk FISH

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) Art Unit: 1645

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AMENDMENT

Honorable Commissioner for Patents
Washington, D.C. 20231

In response to the Office Action of September 25, 2002, for which a one-month extension of time to respond is hereby requested, please enter the following amendment:

IN THE SPECIFICATION

Page 17, please amend the first paragraph beginning on line 1 as follows:

In a micro-centrifuge ("Eppendorf" style) test tube, 25 μ L of the above sample is mixed with 100 μ L of a glucose oxidase, horseradish peroxidase mix, prepared from the enzyme capsule in Sigma Chemicals colorimetric glucose test kit (cat # 510-A or 510-DA). Following 10 minutes incubation at room temperature (18-30°C), a hundred μ L of 1:1 diluted Pierce (Rockford, IL, USA) POWERSIGNAL™ Luminol/Enhancer (derived from cat # 37075)